

April 9, 2020

Consent Decree in *United States, et. al., v. Marathon Ashland Petroleum LLC*,
Civil Action No. 4:01-CV-40119-PVG (E.D. Mic

Force Majeure Defense Due to COVID-19 (Section XIII, Paragraph 57)

St. Paul Park Refining Co. LLC – St. Paul Park Refinery

Consent Decree (CD) Requirements That May Be Delayed	CD Due Date and/or Frequency	Anticipated Duration of Delay	Actions Taken or To Be Taken to Prevent or Minimize Delay	Schedule for Implementation of Measures To Be Taken to Prevent or Mitigate Delay or Effect of Delay	Reason(s) for Delay or Impediment (due to Force Majeure Event)
<p>Section V, Paragraph 18 – Benzene Waste NESHAP Program Enhancements</p> <p>Paragraphs: 18.D. – Implementation of Actions Necessary to Correct Non-Compliance 18.E. – Carbon Canisters 18.K. – End of Line Sampling (BBO Compliance Option) 18.N. – Miscellaneous Measures</p>	<p>Quarterly/Monthly/Weekly.</p> <p>MPC has temporarily ceased Quarterly Method 21 monitoring of vacuum trucks, fixed roof portions of oil-water separators, waste/ wastewater management units, and associated ancillary closed vent and aboveground sewer line piping and components if performed by 3rd party contractors.</p>	<p>Until at least May 1, 2020. Due to information from the CDC, World Health Organization and Federal, State and local government authorities is changing daily, MPC reserves the right to extend the duration of the delay.</p>	<p>MPC operations personnel will detect leaks via olfactory, visual, or audible means during routine rounds performed of process units. If any leaks occur, a maintenance work order will be initiated for its repair.</p> <p>The Refinery will establish an optical gas imaging (OGI) (i.e. FLIR camera) monitoring schedule to check for leaks in the wastewater treatment plant normally monitored via Method 21 at least once per quarter, with MPC personnel if available.</p>	<p>MPC operations personnel will detect leaks via olfactory, visual, or audible means during routine rounds performed of process units. If any leaks occur, a maintenance work order will be initiated for its repair.</p> <p>A FLIR camera sweep will be conducted once a quarter for those components normally monitored by Method 21.</p> <p>Leaks identified, if any, will be repaired under the normal repair schedule to the extent feasible, with follow-up monitoring performed with OGI monitoring.</p> <p>Repairs of previously identified leaks are currently occurring and will continue.</p> <p>A detailed list of missed monitoring events, late repairs, and delayed valve replacement will be included in the semi-annual Consent Decree report and any other applicable periodic report.</p>	<p>Third-party contractors and vendors are used for performing certain Benzene Waste NESHAP requirements. In response to COVID-19 and to reduce social contact and comport with the "social distancing" guidelines issued by the U.S. and State governments, MPC and employers nationwide have implemented similar policies requiring non-essential employees and contractors to work from home. As a result, the facility does not have a full complement of contractors available to perform these tasks.</p> <p>MPC has temporarily limited certain on-site activities by company personnel and contract personnel as part of its larger COVID-19 response to reduce social contact and comport with the "social distancing" guidelines issued by the Centers for Disease Control and Prevention (CDC) and the President of the United States through his "Coronavirus Guidelines for America" issued on March 16, 2020.</p>
<p>Section V, Paragraph 20 - Leak Detection and Repair ("LDAR") Program Enhancements</p> <p>Paragraphs: 20.C. – LDAR Audits 20.F. – Reporting, Recording, Tracking, Repairing, and Remonitoring Leaks of Valves and Pumps Based on the Internal Leak Definitions 20.G. – First Attempt at Repair on Valves</p>	<p>Biannually/Monthly.</p>	<p>Until at least May 1, 2020. Due to information from the CDC, World Health Organization and Federal, State and local government authorities is changing daily, MPC reserves the right to extend the duration of the delay.</p>	<p>The Refinery will establish a perimeter optical gas imaging (OGI) monitoring schedule, i.e. FLIR camera, to check for leaks in each process unit normally monitored via Method 21 once a week.</p> <p>The Refinery has delayed the LDAR Audit originally scheduled to begin in March 2020 and will reschedule as resources permit for later in the year.</p>	<p>A FLIR camera sweep will be conducted each week of April 2020.</p> <p>Leaks identified, if any, will be repaired under the normal repair schedule to the extent feasible, with follow-up monitoring performed with OGI monitoring.</p> <p>Repairs of previously identified leaks are currently occurring and will continue.</p> <p>A detailed list of missed monitoring events, late repairs, and delayed valve replacement will be included in the semi-annual Consent Decree report and any other applicable periodic report.</p>	<p>Third-party contractors and vendors are used for performing LDAR requirements. In response to COVID-19 and to reduce social contact and comport with the "social distancing" guidelines issued by the U.S. and State governments, MPC and employers nationwide have implemented similar policies requiring non-essential employees and contractors to work from home. As a result, the facility does not have a full complement of contractors available to perform these tasks.</p> <p>MPC has temporarily limited certain on-site activities by company personnel and contract personnel as part of its larger COVID-19 response to reduce social contact and comport with the "social distancing" guidelines issued by the Centers for Disease Control and Prevention (CDC) and the President of the United States through his "Coronavirus Guidelines for America" issued on March 16, 2020.</p>

Attachment 2

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20.H. – LDAR Monitoring Frequency 20.I. – Electronic Monitoring, Storing, and Reporting of LDAR Data 20.J. – QA/QC of LDAR Data 20.M. – Calibration/Calibration Drift Assessment 20.N. – Delay of Repair				included in the semi-annual Consent Decree report and NSPS GOGA periodic report. The biannual audit will be scheduled and conducted before 12/31/2020.	In accordance with these guidelines, MPC reduced 3 rd party contractor presence at its facilities, including contractors performing LDAR activities. These contractor and personnel reductions will be in place until at least May 1, 2020, and potentially longer, and will be reassessed every 30 days. MPC continues to monitor and review information from the CDC, World Health Organization and Federal, State and local government authorities. These measures will lower density of personnel onsite, reducing potential exposure to critical operations and/or maintenance personnel via 3 rd party contractors. These measures are designed to reduce the potential spread of the virus as LDAR technicians share equipment, are in close contact with each other while calibrating equipment, and require interaction with operations personnel for work permitting and other necessary tasks.